

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

**COUNTY OF OSWEGO INDUSTRIAL
DEVELOPMENT AGENCY,**

Plaintiff,

-v-

**5:05-CV-926
(NAM/GJD)**

**FULTON COGENERATION ASSOCIATES, LP.,
LIONS CAPITAL MANAGEMENT, LLC, aka LION
CAPITAL MANAGEMENT, LLC, FIMAB,
z PROMENEUR & HAUSMANN, INC., EL PASO
MERCHANT ENERGY-PETROLEUM COMPANY.,
and ANR VENTURE FULTON COMPANY,**

Defendants.

APPEARANCES:

**Hiscock & Barclay, LLP
Robert B. Liddell, Esq., of Counsel
v One Park Place
300 South State Street
Syracuse, New York 13221
Attorneys for Plaintiff**

**Nixon, Peabody LLP
Daniel J. Hurteau, Esq., of Counsel
Omni Plaza, Suite 900
30 South Pearl Street
Albany, New York 12207
M Attorneys for El Paso Merchant Energy-Petroleum Company and ANR Venture Fulton Company**

MEMORANDUM DECISION AND ORDER

Hon. Norman A. Mordue, Chief U.S. District Court Judge:

Plaintiff having moved (Dkt. Nos. 113, 114) to extend the time to commence a special proceeding set forth in CPLR 6214(e), as extended by Order of this Court dated June 29, 2007, and the Court having again extended the time until further order of the Court (Dkt. No. 114), and no opposition having been received; it is hereby

ORDERED that the motion (Dkt. No. 113, 114) to extend the time to commence a special proceeding set forth in CPLR 6214(e) is granted and the time to commence a special proceeding is further extended for 90 days from the date of this order or until further order of the Court, whichever first occurs; and it is further

ORDERED that any dispositive motion in this action shall be made within 30 days from the date of this order; and it is further

ORDERED that the Court will not consider a request to extend the 30-day period for making a dispositive motion unless the request is filed prior to expiration of the 30-day period and good cause is shown.

IT IS SO ORDERED.

January 29, 2008
Syracuse, New York


Norman A. Mordue
Chief United States District Court Judge